

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

JENNIFER CARABALLO,

Plaintiff,

v.

Case No. 6:21-cv-304-JA-GJK

AR RESOURCES, INC.,

Defendant.

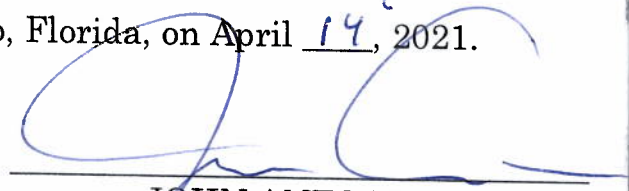
ORDER

Plaintiff has filed a Notice of Voluntary Dismissal (Doc. 14) purporting to dismiss this action pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i). But Plaintiff's Notice is not effective to dismiss the case.

Rule 41(a)(1)(A) provides that "the plaintiff may dismiss an action without a court order by filing: (i) a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment; or (ii) a stipulation of dismissal signed by all parties who have appeared." Fed. R. Civ. P. 41(a)(1)(A). Subparagraph (i)—upon which Plaintiff relies in her Notice—is not satisfied here because Defendant has served an Answer (Doc. 10). And the Notice is not effective under subparagraph (ii) either because it is not signed by all parties.

Accordingly, this case remains pending.

DONE and **ORDERED** in Orlando, Florida, on April 14, 2021.



JOHN ANTOON II
United States District Judge

Copies furnished to:
Counsel of Record